

COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

January 19, 2006

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In the Matter of  
Ellis D. Atwood, Inc., Requestor

Docket No. 2005-221  
File No. SDA  
Landowner: Ellis D. Atwood, Inc.  
Property: 7 Eda Avenue  
Carver

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**RECOMMENDED FINAL DECISION**

By letter dated January 19, 2006, John J. Goldrosen, Esq., on behalf of the petitioner, Carver Conservation Commission withdrew its request for an adjudicatory hearing in this appeal of a superseding determination of applicability. The request to withdraw is allowed and the appeal is **DISMISSED** as moot, pursuant to 310 CMR 1.01(6)(e) and 310 CMR 1.01(5)(a)(15)f.ii.

**NOTICE**

This decision is a recommended final decision of the Presiding Officer. It has been transmitted to the Commissioner for his final decision in this matter. This decision is therefore not a final decision subject to reconsideration under 310 CMR 1.01(14)(e), and may not be appealed to the Superior Court pursuant to M.G.L. c.30A. The Commissioner's final decision is subject to rights of reconsideration and court appeal and will contain a notice to that effect.

Because this matter has now been transmitted to the Commissioner, no party shall file a motion to renew or reargue this recommended final decision or any portion of it, and no party

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shall communicate with the Commissioner's office regarding this decision unless the Commissioner, in his sole discretion, directs otherwise.

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

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Ann Lowery  
Presiding Officer

*Adopted by Commissioner Robert W. Golledge, Jr., January 20, 2006.*